

Dear

ATISN 27216 – CIW enforcement action

Thank you for your request which we initially received on 10/07/2026. You then provided clarification of the information you require, and requested additional information, on 30 July 2026.

Information requested

You requested the following information in relation to services registered with Care Inspectorate Wales under the Regulation and Inspection of Social Care (Wales) Act 2016 (RISCA):

1. Details of all prosecutions pursued in relation to CIW registered social care providers over the past five years. The type of provider and the reason for the prosecution (i.e. which section of RISCA was breached). Additionally, confirmation whether any prosecutions have been pursued against registered providers in relation to not having a Responsible Individual in place.
2. Details relating to enforcement action taken by CIW against registered RISCA providers over the past five years (excluding inspections and Priority Action Notices), including:
 - a. The total number of civil enforcement actions taken.
 - b. The total number of Notices of Proposal to take enforcement action that did not subsequently result in a civil enforcement action.
 - c. Where available, a breakdown of the stage at which each enforcement case was concluded.
 - d. The reason for the enforcement action and the type of action taken (for example, cancellation of registration, cancellation of an RI, imposing a variation).
 - e. Confirmation of whether any enforcement action was taken as a result of a provider failing to have a Responsible Individual in place.
3. How many Responsible Individuals are formally designated;
4. How many designated Responsible Individuals hold the position for service providers that are a body corporate other than a local authority;
5. Of those designated Responsible Individuals who hold the position for service providers that are a body corporate other than a local authority, how many of these Responsible Individuals are directors of the body corporate and how many individuals considered to be a “similar officer” of a body corporate hold the position of Responsible Individual.

Our response

We have considered your request under the Freedom of Information Act 2000 (FOIA). The information you requested is set out below.

Further information about our enforcement processes can be found within our published guide: [How we enforce](#) which should be read in conjunction with the data provided within this response.

- 1. Details of all prosecutions pursued in relation to CIW registered social care providers over the past five years. The type of provider and the reason for the prosecution (i.e. which section of RISCA was breached). Additionally, confirmation whether any prosecutions have been pursued against registered providers in relation to not having a Responsible Individual in place.**

Care Inspectorate Wales did not undertake any prosecutions during the period 10 July 2021 to 10 July 2026.

- 2. Details relating to enforcement action taken by CIW against registered RISCA providers over the past five years (excluding inspections and Priority Action Notices), including:**
 - a. The total number of civil enforcement actions taken.**
 - b. The total number of Notices of Proposal to take enforcement action that did not subsequently result in a civil enforcement action.**
 - c. Where available, a breakdown of the stage at which each enforcement case was concluded.**
 - d. The reason for the enforcement action and the type of action taken (for example, cancellation of registration, cancellation of an RI, imposing conditions).**
 - e. Confirmation of whether any enforcement action was taken as a result of a provider failing to have a Responsible Individual in place.**

The table below sets out the number of enforcement actions taken, the type of enforcement action taken, and the number which did not result in the action being taken. The stage at which the enforcement actions concluded is covered by the detail within the outcomes. This data covers the 5-year period from 10 July 2021 to 10 July 2026.

Type of action taken	Number of instances	Outcomes
Improvement Notice issued to cancel a service	46	➤ 22 led to a Notice of Decision to cancel the service ➤ 15 led to a Notice of Decision to not cancel the service ➤ 2 services voluntary cancelled ➤ 1 service was re-registered under a new legal entity ➤ 6 are currently still within the enforcement pathway
Improvement Notice issued to cancel the designation of a Responsible Individual (RI)	14	➤ 10 led to a Notice of Decision to cancel the RI ➤ 4 led to a Notice of Decision to not cancel the RI

Urgent Variation to Impose a condition	26	➤ Condition imposed
Notice of Proposal issued to impose a condition	9	➤ 5 led to a Notice of Decision to impose the condition ➤ 3 did not lead to a Notice of Decision to impose the condition ➤ 1 was lifted as the service was re-registered under a new legal entity

Unfortunately, we cannot provide the reasons for the enforcement action being taken in each instance. The reasons are varied and there can be multiple reasons in each case. These reasons are set out within the documents issued to the provider in a way which cannot be reported on from our system, nor easily identified and summarised for the purposes of this request. To provide this data would require the notices and accompanying documentation for each of these 95 enforcement actions to be individually manually reviewed and then the reasons summarised.

The time taken to identify the data we are providing for your other questions within this request has already met the threshold for the 'appropriate limit' under the Freedom of Information Act. To provide the reasons for the enforcement action as well would further exceed this limit. This information is therefore refused under **Section 12 of the FOIA**. Under section 12, we are not obliged to comply with a request for information if we estimate the cost of complying with the request would exceed the appropriate limit.

As we are unable to provide the reasons for enforcement action within the appropriate limit, we cannot confirm whether any of these actions were taken as a result of a provider failing to have a Responsible Individual in place. This information is also therefore refused under **Section 12 of the FOIA** as to identify this would also further exceed the appropriate limit.

We have previously published data which included reasons for the cancellation of services within a FOI disclosure where the numbers involved were much lower. This covered the date range January 2021 to November 2023 and only included enforced cancellations of services where the provider was a company. It did not include any other enforcement action or provider types. This does cover some of the enforcement activity captured by your request though and may therefore be of interest to you. You can find this data here: [ATISN 19266 doc1.xls](#). The cancellations data including reasons is on the tab named '2. Enforced Cancellations'.

3. *How many Responsible Individuals are formally designated*

As of 10 July 2026, the number of Responsible Individuals currently appointed in respect of RISCA registered services is 934.

4. *How many designated Responsible Individuals hold the position for service providers that are a body corporate other than a local authority;*

As of 10 July 2026, the number of Responsible Individuals appointed for body corporate service providers other than a local authority is 841.

5. *Of those designated Responsible Individuals who hold the position for service providers that are a body corporate other than a local authority, how many of these Responsible Individuals are directors of the body corporate and how many individuals considered to be a “similar officer” of a body corporate hold the position of Responsible Individual.*

Of the 841 Responsible Individuals referred to above, 734 hold the role of Director and 71 hold the role of Similar Officer. The definition of a ‘Similar Officer’ can be found within this guide: [Guide to registration: Regulation and Inspection of Social Care \(Wales\) Act 2016](#)

Next steps

If you are dissatisfied with the Welsh Government’s handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government’s Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner’s Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely